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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 RONALD W. RANGEL,

10 Petitioner,

11 vs.

12 DWIGHT NEVEN, et al.,

13 Respondents.
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Case No. 2:12-cv-02032-JAD-PAL

ORDER

15 Before the court are the first amended petition (Doc. 25), respondents' motion to dismiss
16 (Doc. 34), and petitioner's opposition to motion to dismiss and motion for partial dismissal (Doc.
17 39). The parties agree on the basic matter of respondents' motion (Doc. 34). Petitioner has not
18 presented the issue contained in ground 6 of the first amended petition (Doc. 25) to the state courts,
19 and thus he has not exhausted his available state-court remedies for ground 6. *See* 28 U.S.C.
20 § 2254(b). It is requested that the court dismiss ground 6, and the court will grant that request.

21 **IT IS THEREFORE ORDERED** that respondent's motion to dismiss (Doc. 34) is
22 **GRANTED** in part.

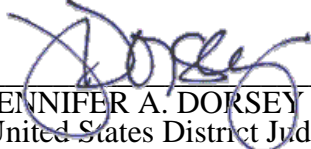
23 **IT IS FURTHER ORDERED** that petitioner's motion for partial dismissal (Doc. 39) is
24 **GRANTED**. Ground 6 of the first amended petition (Doc. 25) is **DISMISSED** for failure to
25 exhaust available state-court remedies.

26 **IT IS FURTHER ORDERED** that respondents shall have forty-five (45) days from the
27 date of entry of this order to file and serve an answer, which shall comply with Rule 5 of the Rules
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1 Governing Section 2254 Cases in the United States District Courts. Petitioner shall have forty-five
2 (45) days from the date on which the answer is served to file a reply.

3 **IT IS FURTHER ORDERED** that, from this date forward, the hard copy of any exhibits
4 shall be forwarded—for this case—to the staff attorneys in Las Vegas.

5 Dated: November 5, 2013.

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8 JENNIFER A. DORSEY
United States District Judge